



Federal Register

8-29-05

Vol. 70 No. 166

Monday

Aug. 29, 2005

Pages 50949-51240



The **FEDERAL REGISTER** (ISSN 0097-6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see www.archives.gov.

The seal of the National Archives and Records Administration authenticates the **Federal Register** as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** www.gpoaccess.gov/nara, available through GPO Access, is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

For more information about GPO Access, contact the GPO Access User Support Team, call toll free 1-888-293-6498; DC area 202-512-1530; fax at 202-512-1262; or via e-mail at gpoaccess@gpo.gov. The Support Team is available between 7:00 a.m. and 9:00 p.m. Eastern Time, Monday–Friday, except official holidays.

The annual subscription price for the **Federal Register** paper edition is \$749 plus postage, or \$808, plus postage, for a combined **Federal Register**, **Federal Register** Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register** Index and LSA is \$165, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily **Federal Register**, including postage, is based on the number of pages: \$11 for an issue containing less than 200 pages; \$22 for an issue containing 200 to 400 pages; and \$33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for \$3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, see bookstore.gpo.gov.

There are no restrictions on the republication of material appearing in the **Federal Register**.

How To Cite This Publication: Use the volume number and the page number. Example: 70 FR 12345.

Postmaster: Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Printing Office, Washington DC 20402, along with the entire mailing label from the last issue received.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche 202-512-1800
Assistance with public subscriptions 202-512-1806

General online information 202-512-1530; 1-888-293-6498

Single copies/back copies:

Paper or fiche 202-512-1800
Assistance with public single copies 1-866-512-1800
(Toll-Free)

FEDERAL AGENCIES

Subscriptions:

Paper or fiche 202-741-6005
Assistance with Federal agency subscriptions 202-741-6005

FEDERAL REGISTER WORKSHOP

THE FEDERAL REGISTER: WHAT IT IS AND HOW TO USE IT

FOR: Any person who uses the Federal Register and Code of Federal Regulations.

WHO: Sponsored by the Office of the Federal Register.

WHAT: Free public briefings (approximately 3 hours) to present:

1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
2. The relationship between the Federal Register and Code of Federal Regulations.
3. The important elements of typical Federal Register documents.
4. An introduction to the finding aids of the FR/CFR system.

WHY: To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

WHEN: Thursday, September 22, 2005
9:00 a.m.–Noon

WHERE: Office of the Federal Register
Conference Room, Suite 700
800 North Capitol Street, NW.
Washington, DC 20002

RESERVATIONS: (202) 741-6008



Contents

Federal Register

Vol. 70, No. 166

Monday, August 29, 2005

Agriculture Department

See Forest Service

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 51007–51008

Centers for Disease Control and Prevention

NOTICES

Organization, functions, and authority delegations:
 Chief of Public Health Practice Office, 51069–51070
 Coordinating Center for Health Information and Service, 51070–51071
 Coordinating Center for Infectious Diseases, 51070
 Procurement and Grants Office, 51071–51075

Civil Rights Commission

NOTICES

Meetings; State advisory committees:
 New Mexico, 51009

Coast Guard

RULES

Drawbridge operations:
 California, 50972
 Georgia, 50972–50974
 Ports and waterways safety; regulated navigation areas, safety zones, security zones, etc.:
 Irish Festival Currach races, Lake Michigan, WI, 50976–50978
 Tacoma Narrows Bridge, Puget Sound, WA, 50974–50976

PROPOSED RULES

Regattas and marine parades:
 Choptank River, MD, 50997–50999

NOTICES

Committees; establishment, renewal, termination, etc.:
 Cook Inlet Regional Citizen's Advisory Council, 51077–51078

Meetings:
 Towing Safety Advisory Committee, 51078–51079

Commerce Department

See Industry and Security Bureau

See International Trade Administration

See National Oceanic and Atmospheric Administration

Customs and Border Protection Bureau

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 51079

Defense Department

NOTICES

Arms sales notification, transmittal letter, etc., 51015–51026

Meetings:
 Defense Science Board, 51026–51027

Drug Enforcement Administration

PROPOSED RULES

Schedules of controlled substances:
 Embutramide; placement into Schedule III, 50996

Education Department

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 51027–51028
 Grants and cooperative agreements; availability, etc.:
 Special education and rehabilitative services—
 Disability and Rehabilitation Research Projects, 51234–51239

Meetings:
 Historically Black Colleges and Universities President's Board of Advisors, 51028–51029

Employment and Training Administration

NOTICES

Meetings:
 Apprenticeship Advisory Committee, 51091–51092

Energy Department

See Federal Energy Regulatory Commission

See Southwestern Power Administration

See Western Area Power Administration

NOTICES

Environmental statements; availability, etc.:
 Caliente Rail Corridor, NV, 51029

Meetings:
 Environmental Management Site-Specific Advisory Board—
 Idaho National Engineering and Environmental Laboratory, ID, 51030–51031
 Paducah Gaseous Diffusion Plant, KY, 51029–51030
 Savannah River Site, SC, 51031

Environmental Protection Agency

RULES

Air programs:
 Ambient air quality standards, national—
 8-hour ozone; early action compact areas; extension of effective date, 50988–50995

NOTICES

Air pollution control:
 Citizens suits; proposed settlements—
 Our Children's Earth Foundation et al., 51040–51041
 Environmental statements; availability, etc.:
 Port of New York and New Jersey, 51041–51042
 Reports and guidance documents; availability, etc.:
 Preliminary 2006 Effluent Guidelines Program Plan, 51042–51060

Superfund; response and remedial actions, proposed settlements, etc.:

Circuitron Corp. Site, NY, 51060–51061
 Vega Alta Public Supply Wells Site, PR, 51061
 Toxic and hazardous substances control:
 Citizens' petitions—
 Ecology Center of Ann Arbor, MI, 51061–51064

Executive Office of the President

See Presidential Documents

Federal Aviation Administration

RULES

Class E airspace, 50958

NOTICES

Aeronautical land-use assurance; waivers:
Madras City-County Airport, OR, 51108–51109
Airport noise compatibility program:
Pago Pago International Airport, American Samoa,
51109–51110

Federal Energy Regulatory Commission**NOTICES**

Electric rate and corporate regulation combined filings,
51031–51033
Environmental statements; availability, etc.:
PPL Maine, LLC, 51033

Federal Motor Carrier Safety Administration**PROPOSED RULES**

Motor carrier safety standards:
Vision standard; physical qualification of drivers;
withdrawn, 51001–51002

Federal Reserve System**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 51064
Banks and bank holding companies:
Formations, acquisitions, and mergers, 51065

Fish and Wildlife Service**RULES**

Alaska National Interest Lands Conservation Act; Title VIII
implementation (subsistence priority):
Moose; subsistence taking, 50978–50980

PROPOSED RULES

Alaska National Interest Lands Conservation Act; Title VIII
implementation (subsistence priority):
Southwestern Alaska coastal areas; subsistence
management jurisdiction, 50999–51000

NOTICES

Endangered and threatened species:
Incidental take permits—
Brevard County, FL; Florida scrub-jay, 51084–51088
Charlotte County, FL; Florida scrub-jay, 51083–51084
Reports and guidance documents; availability, etc.:
Environmental Defense, Inc.; Safe Harbor Agreement,
51088–51089

Food and Drug Administration**NOTICES**

Human drugs:
New drug applications—
Able Laboratories, Inc.; approval withdrawn, 51075–
51076

Meetings:

Cellular, Tissue and Gene Therapies Advisory
Committee, 51076

Reports and guidance documents; availability, etc.:
Abbreviated new drug applications; impurities in drug
products; chemistry, manufacturing and controls
information, 51077

Forest Service**RULES**

Alaska National Interest Lands Conservation Act; Title VIII
implementation (subsistence priority):
Moose; subsistence taking, 50978–50980

PROPOSED RULES

Alaska National Interest Lands Conservation Act; Title VIII
implementation (subsistence priority):
Southwestern Alaska coastal areas; subsistence
management jurisdiction, 50999–51000

NOTICES**Meetings:**

Resource Advisory Committees—
Lassen County, 51008–51009

General Services Administration**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 51065

Health and Human Services Department

See Centers for Disease Control and Prevention

See Food and Drug Administration

NOTICES

Reports and guidance documents; availability, etc.:
Public Health Security and Bioterrorism Preparedness
and Response Act of 2002; implementation—
Potassium iodide (KI); requesting, stockpiling, and
distributing from Strategic National Stockpile;
Federal guidelines, 51065–51069

Homeland Security Department

See Coast Guard

See Customs and Border Protection Bureau

See U.S. Citizenship and Immigration Services

Industry and Security Bureau**NOTICES****Meetings:**

Regulations and Procedures Technical Advisory
Committee, 51009

Interior Department

See Fish and Wildlife Service

NOTICES**Meetings:**

Invasive Species Advisory Committee, 51081
Self-determination and self-governance fiduciary trust
records management; final agreement, 51081–51083

Internal Revenue Service**RULES****Income taxes:**

Life insurance value when distributed from qualified
retirement plan, 50967–50972

PROPOSED RULES**Income taxes:**

Cost sharing arrangement; methods under section 482 to
determine taxable income; public hearing, 51116–
51163

International Trade Administration**NOTICES****Antidumping:**

Fresh and chilled Atlantic salmon from—
Norway, 51012–51013

Antidumping and countervailing duties:

Administrative review requests, 51009–51012

Countervailing duties:

Cut-to-length plate from—
Italy, 51013–51015

International Trade Commission**NOTICES**

Harmonized Tariff Schedule; modifications, 51089–51090

Import investigations:
Digital image storage and retrieval devices, 51090–51091

Justice Department

See Drug Enforcement Administration

Labor Department

See Employment and Training Administration

See Labor-Management Standards Office

See Occupational Safety and Health Administration

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 51091

Labor-Management Standards Office

PROPOSED RULES

Standards of conduct:

Labor organization officer and employee reports, 51166–51225

NOTICES

Standards of conduct:

Union officials; fiduciary responsibility guidelines, 51228–51232

Maritime Administration

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 51110–51111

Coastwise trade laws; administrative waivers:

DELPHINUS, 51111

ORION, 51111–51112

RECHARGED, 51112

TATANKA, 51112–51113

THE GREAT ESCAPE, 51113

National Aeronautics and Space Administration

NOTICES

Meetings:

Aeronautics Research Advisory Committee, 51092–51093

National Archives and Records Administration

RULES

Records management:

Records center facility standards, 50980–50988

National Highway Traffic Safety Administration

PROPOSED RULES

Motor vehicle safety standards:

Rearview mirrors, 51002–51004

National Oceanic and Atmospheric Administration

RULES

Fishery conservation and management:

Alaska; fisheries of Exclusive Economic Zone—
Yellowfin sole, 50995

PROPOSED RULES

Fishery conservation and management:

West Coast States and Western Pacific fisheries—
Coastal pelagic species, 51004–51006

Nuclear Regulatory Commission

RULES

Spent nuclear fuel and high-level radioactive waste;
independent storage; licensing requirements:

Approved spent fuel storage casks; list, 50957–50958

NOTICES

Applications; exemptions, renewals, etc.

AmerGen Energy Co., LLC, 51093–51097

Environmental statements; availability, etc.:

Endocyte Inc., 51097–51098

Meetings:

Radiation Standards Interagency Steering Committee,
51098

Reports and guidance documents; availability, etc.:

Elimination of license condition requiring reports of
violations of license condition 2.C in facility
operating license; model safety evaluation, 51098–
51100

Applications, hearings, determinations, etc.:

Michigan Natural Resources Department, 51093

Occupational Safety and Health Administration

PROPOSED RULES

Construction safety and health standards:

Lead in construction, 50996–50997

Personnel Management Office

RULES

Retirement:

Federal Employees Retirement System (FERS)—
Retirement credit for certain Government service
performed abroad, 50951–50954

Presidential Documents

ADMINISTRATIVE ORDERS

Colombia; drug interdiction assistance (Presidential
Determination)

No. 2005-32 of August 17, 2005, 50949

Securities and Exchange Commission

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 51101

Meetings; Sunshine Act, 51101

Self-regulatory organizations; proposed rule changes:

Chicago Board Options Exchange, Inc., 51101–51102

New York Stock Exchange, Inc., 51102–51105

Pacific Exchange, Inc., 51105–51107

Small Business Administration

NOTICES

Meetings:

Regulatory Fairness Boards—
Region I; hearing, 51107
Region IV; hearing, 51107

Social Security Administration

NOTICES

Privacy Act:

Computer matching programs, 51107–51108

Southwestern Power Administration

NOTICES

Power rates:

Robert D. Willis, 51033–51034

Sam Rayburn Dam, 51034–51035

State Department

RULES

International Traffic in Arms regulations:

Congo; denial policy modification, 50966–50967

Definitions; electronic license applications; disclosure,
etc., 50958–50966

Transportation Department

See Federal Aviation Administration

See Federal Motor Carrier Safety Administration
See Maritime Administration
See National Highway Traffic Safety Administration

Treasury Department

See Internal Revenue Service

U.S. Citizenship and Immigration Services**RULES**

Immigration:

Full costs recovery; appeal and motion fees adjustment,
50954–50957

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 51079–51081

Western Area Power Administration**NOTICES**

Power rates:

Washoe Project, 51035–51040

Separate Parts In This Issue**Part II**

Treasury Department, Internal Revenue Service, 51116–
51163

Part III

Labor Department, Labor-Management Standards Office,
51166–51225

Part IV

Labor Department, Labor-Management Standards Office,
51228–51232

Part V

Education Department, 51234–51239

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, reminders, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents LISTSERV electronic mailing list, go to <http://listserv.access.gpo.gov> and select Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings); then follow the instructions.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR**Administrative Orders:**

Presidential

Determinations:

No. 2005-32 of August

17, 200550949

5 CFR

84250951

8 CFR

10350954

10 CFR

7250957

14 CFR

7150958

21 CFR**Proposed Rules:**

130850996

22 CFR

12050958

12250958

12350958

12450958

126 (2 documents)50958,

50966

12750958

26 CFR

150967

Proposed Rules:

151116

30151116

29 CFR**Proposed Rules:**

40451166

192650996

33 CFR

117 (2 documents)50972

165 (2 documents)50974,

50976

Proposed Rules:

10050997

36 CFR

24250978

122850980

Proposed Rules:

24250999

40 CFR

8150988

49 CFR**Proposed Rules:**

39151001

57151002

50 CFR

10050978

67950995

Proposed Rules:

10050999

66051004